IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.5181 OF 2004

1. Shri Subhash Sridhar Bhojkar
and ors. .. Petitioners

Vs

1. Smt Srimati Bhupal Bhojkar
and ors. .. Respondents

Mr Amit B.Borkar, for the petitioners.

CORAM : D.B.BHOSALE,J.

DATE : 13th September, 2004.

PC:

1. Heard the learned counsel for the petitioners.

2. The petitioners have impugned the order dated 30.11.1996 passed by the Additional Commissioner, Pune Division, Pune, in RTS proceedings. According to Mr Borkar, learned counsel for the petitioners, after the impugned order was passed by the Addl Commissioner, Regular Civil Appeal No.278 of 1996 filed by the petitioners has been allowed by the judgment and order dated 24.10.2001 and in view thereof he seeks liberty to approach the revenue authorities afresh for effecting necessary entries in view of the said judgment in the civil appeal. It is always open for the petitioners to

approach the revenue authorities if the rights of the parties stand determined in the civil proceedings. In view of this, this petition is disposed of by following order :

(i) Liberty to the petitioners to approach the revenue authorities for effecting necessary entries in the record of rights in pursuance of the order passed by the Civil Court. If such application is filed, same may be decided by the revenue authorities in accordance with law after giving an opportunity of being heard to all the concerned parties.

. While passing this order, I shall not be understood to have examined the merits of the case.

. The writ petition is disposed of.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)